



**DeWight Dopslauf, C.P.M., CPPO
Harris County Purchasing Agent**

April 16, 2021

Commissioners Court
Harris County, Texas

RE: Job No. 160037

Members of Commissioners Court:

Please approve the attached Order authorizing the County Judge to execute the attached First Amendment to the Agreement and the fifth and final renewal option for the following for the following:

Description: Oracle Hardware, Software, Services and Related Items for the Harris County Toll Road Authority

Vendor: Pivot Technology Services Corp.

Term: May 10, 2021 through May 9, 2022


Amount: \$1,750,000

Reviewed by: X Toll Road Authority X Harris County Purchasing

The First Amendment provides funding and adds a one (1) year renewal option. A purchase order will be issued upon Commissioners Court approval.

Sincerely,

DeWight Dopslauf
Purchasing Agent

 JHP
Attachment
cc: Vendor

FOR INCLUSION ON COMMISSIONERS COURT AGENDA APRIL 27, 2021

**FIRST AMENDMENT TO THE AGREEMENT BETWEEN
HARRIS COUNTY AND PIVOT TECHNOLOGY SERVICES CORP.**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

This First Amendment to the Agreement is made and entered into by and between Harris County (the "County"), a body corporate and politic under the laws of the State of Texas and acting by and through Harris County Toll Road Authority ("HCTRA"), and Pivot Technology Services Corp. ("Contractor"). The County and Contractor are known individually as a "Party" and collectively as "Parties."

Recitals

On May 10, 2016, the County entered into an agreement with the Contractor to provide Oracle products, services and solutions to HCTRA, as detailed in RFP Job No. 16/0037 (the "Agreement").

Both the County and Contractor desire to amend the agreement for the First time to add a one (1) year renewal option ("First Amendment").

Contractor warrants and represents that it is willing and capable of providing the services.

Terms

I.

This First Amendment shall be governed by the Agreement and the RFP Job No. 16/0037, which are incorporated by reference as though fully set forth word for word.

II.

The term of the Agreement is hereby amended to add a one (1) year renewal option.

III.

It is expressly understood and agreed that the Agreement is attached to this First Amendment and incorporated herein by reference. In the event of any conflict between the terms and provisions of this First Amendment, or any portion thereof, and the terms and provisions of any other part or portion of the Agreement, this First Amendment shall control.

V.

All other terms and provisions of the Agreement shall remain in full force and effect as originally

written and subsequently amended.

VI.

Execution, Multiple Counterparts: This First Amendment may be executed in several counterparts. Each counterpart is deemed an original. All counterparts together constitute one and the same instrument. Each Party warrants that the undersigned is a duly authorized representative with the power to execute this First Amendment.

[EXECUTION PAGE FOLLOWS]

PIVOT TECHNOLOGY SERVICES CORP. HARRIS COUNTY

By: Wendy J. Coticchia
Name: Wendy Coticchia
Title: Chief Compliance Officer
Date: 4/14/2021

By: _____
LINA HIDALGO
COUNTY JUDGE

APPROVED AS TO FORM:
CHRISTIAN D. MENEFEE
COUNTY ATTORNEY

By: Marcy Linebarger Digitaly signed by Marcy Linebarger
The County Clerk's Office is an Equal Opportunity Employer
Date: 2021.04.14 09:53:15 -0700
Marcy Linebarger
Assistant County Attorney

ORDER OF COMMISSIONERS COURT
Authorizing execution of an amendment to an agreement

The Commissioners Court of Harris County, Texas, convened at a meeting of said Court at the Harris County Administration Building in the City of Houston, Texas, on the ____ day of _____, 2021 with all members present except _____.

A quorum was present. Among other business, the following was transacted:

**ORDER AUTHORIZING EXECUTION OF FIRST AMENDMENT TO THE
AGREEMENT BETWEEN HARRIS COUNTY AND PIVOT TECHNOLOGY SERVICES
CORP.**

Commissioner _____ introduced an order and moved that Commissioners Court adopt the order. Commissioner _____ seconded the motion for adoption of the order. The motion, carrying with it the adoption of the order, prevailed by the following vote:

Vote of the Court	<u>Yes</u>	<u>No</u>	<u>Abstain</u>
Judge Hidalgo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ellis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Garcia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Ramsey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comm. Cagle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The County Judge thereupon announced that the motion had duly and lawfully carried and that the order had been duly and lawfully adopted. The order adopted follows:

IT IS ORDERED that County Judge Lina Hidalgo be, and she is hereby authorized to execute, for and on behalf of Harris County, the First Amendment to the Agreement with Pivot Technology Services Corp. for Oracle products, services and solutions for the Harris County Toll Road Authority; to add a one (1) year renewal option; the First Amendment is incorporated herein as though fully set forth word for word.

All Harris County officials and employees are authorized to do any and all things necessary or convenient to accomplish the purposes of this order.